

BOARD OF SELECTMEN

Minutes of the Meeting of 19 April 2006 at 7:00 PM. The meeting took place in the Court Room, Town and County Building, Nantucket, MA 02554. Members of the Board present were Douglas Bennett, Brian Chadwick, Michael Glowacki, Michael Kopko and Whiting Willauer. Chairman Willauer called the meeting to order at 7:10 PM following a meeting of the County Commissioners.

Announcements. Town Administrator Libby Gibson announced that a Household Hazardous Waste Collection Day will occur April 22, 2006 from 8:00 AM to noon at the DPW office entrance.

Public Comment. None.

Approval of Minutes of 12 April 2006 at 7:00 PM and 12 April 2006 at 9:15 AM. The Board approved the minutes by unanimous consent.

Approval of Payroll Warrant for Week Ending 16 April 2006. The Board approved the payroll warrant by unanimous consent.

Approval of Treasury Warrant and Pending Contracts for Week Ending 12 April 2006. The Board approved the treasury warrant and pending contracts by unanimous consent.

Official Business

1. Consideration of Application for Change of Manager for the Seasonal All Alcoholic Beverages Restaurant License of Straight Wharf Restaurant Company, Inc. dba Straight Wharf Restaurant, from Steve Cavagnaro to Gabriel Frasca, for the Premises Located at 6 Harbor Square. No one was present to speak in favor of or in opposition to the matter. Mr. Bennett moved to approve the application. Mr. Chadwick seconded. So voted unanimously.

2. Public Hearing to Consider National Grid USA Petition for Pole Relocations and New Pole Installations along Eel Point Road. Chairman Willauer opened the public hearing. Dave Fredericks, representing National Grid, provided background and welcomed any questions. There were none and no one spoke in opposition. Chairman Willauer closed the public hearing. Mr. Bennett moved to approve the petition. Mr. Chadwick seconded. So voted unanimously.

3. Public Hearing to Consider Applications for Public Assembly Permit and One-Day Entertainment and Temporary Pouring Licenses for Wachovia Securities, LLC for its "Dinner with Dancing" Event Scheduled for June 19, 2006 at Bathing Beach Road. Chairman Willauer opened the public hearing. Caterer for the event Kim Reid spoke in favor and welcomed any questions. There were none and no one spoke in opposition. Chairman Willauer closed the public hearing. Mr. Bennett moved to approve the application. Mr. Chadwick seconded. So voted unanimously.

Citizen/Departmental Requests

1. Town Clerk: Request for Re-Appointment of Registrar of Voters. Mr. Bennett moved to approve the appointment of Carolyn Gould for a term to expire in 2009. Mr. Kopko seconded. So voted unanimously.

Town Administrator's Report

1. Request for Scheduling and Adoption of Special Town Warrant and Election. Town Administrator Libby Gibson introduced the item and reviewed the Annual Town Meeting action. Mr. Bennett moved to approve the election warrant as requested with three questions, the election to be held on June 6, 2006. Mr. Kopko seconded. So voted unanimously.

2. Nantucket Housing Office: Request for Acceptance of Recommendation Regarding Community Housing Bank. Leedara Zola, NHO Executive Director, reviewed the request and gave background information. Planning Director Andrew Vorce spoke in favor. Discussion followed. Mr. Kopko moved to approve the sending of a letter of support to the Town's legislators regarding adding Nantucket to Senate Bill No. 2230, which is legislation pertaining to community housing submitted by the Towns of Martha's Vineyard. Mr. Chadwick seconded. So voted unanimously.

3. Request for Execution of Closing Documents for the Sale of Two Town-Owned Parcels of Land in Accordance with Article 86 of 2004 Annual Town Meeting. Ms. Gibson and Attorney Beth Bartlett explained the request and gave background information regarding yard sale program parcels at 40 B Shell Street to Thomas Meehan and 34, 35 Sacchacha Avenue to Linda Wisniewski. Mr. Chadwick move to approve the and execute the documents as presented. Mr. Kopko seconded. So voted unanimously.

4. Request for Approval of Stipulation Agreement in Connection with Land Court Registration Case of Property at 75 Hulbert Avenue. Ms. Bartlett gave background information on the property owner's petition (Bredin) to include accreted land to their registered title. She explained their request for the Town's agreement for same in exchange for the Bredin's cooperation when the Town files any similar petition with the Land Court to register its additional accreted land at neighboring Jetties Beach. Attorney Foley Vaughan, representing the Bredins, spoke in favor of the request and provided additional detail. Mr. Kopko moved to approve the request. Mr. Chadwick seconded. Attorney Paul DeRensis asked if a One Big Beach easement would be forthcoming, which Mr. Vaughan indicated he would recommend to his client. Mr. Bennett suggested deferral for 90 days until the OBB item can be acted upon. Mr. Kopko withdrew his motion and Mr. Chadwick seconded. Mr. Bennett moved to defer the approval for 90 days. Mr. Kopko seconded. Mr. Vaughan objected due to Land Court timing issues. Discussion followed and Mr. DeRensis recommended proceeding with the stipulation. Mr. Bennett amended the motion to defer the approval for two weeks. Mr. Kopko seconded. So voted unanimously. Discussion followed regarding the Charles Street area abutting the Bredin property.

Selectmen's Report/Comment.

1. Action on Harbor Plan (continued from April 12, 2006). Mr. Glowacki recused himself from this matter and left the room. Ms. Gibson noted that the staff recommendation is withdrawn due to the policy nature of the item, that neither route is "wrong" and that staff is available for questions and information. Chairman Willauer asked if anyone is in favor of a state-approved plan. Mr. DeRensis, Rick Atherton and Christine Silverstein spoke in favor of a state-approved plan. Board discussion followed on which of the plans gives the Town more "control" and the availability of resources to implement. Mr. Kopko moved to proceed with a state-approved plan. Mr. Bennett seconded. Mr. Chadwick asked for further clarification on why a state-approved plan is "better." Sarah Oktay, of Urban Harbors Institute, indicated that it mostly provides for more local control over Chapter 91 issues. Discussion followed on the Department of Environmental Protection's obligations with regard to a state-approved harbor plan. Marine Superintendent/Harbormaster Dave Fronzuto noted, in response to Mr. Chadwick's question, that local zoning parameters will need to be in place for both plans. Discussion continued on pros and cons of state versus local plans. Mr. Chadwick raised a point of order about the question having been considered last week. Mr. Kopko moved to reconsider. Mr. Bennett seconded. So voted. Chairman Willauer posed the question regarding proceeding with a state-approved plan. So voted, with Mr. Chadwick opposed. Mr. Glowacki rejoined the Board.

2. Proposal to Consider Formation of Sewer Committee. Mr. Kopko reviewed his proposal. Mr. Glowacki noted the Board's need to finalize sewer district criteria and to review consultant Mark Abraham's report when ready regarding separating out Sconset from Surfside in the Sewer Enterprise Fund. Discussion followed and Chairman Willauer suggested the committee proposed by Mr. Kopko take these items on. Mr. Glowacki spoke in opposition.

3. Potential Landfill Fee Increase. Mr. Glowacki noted the need for a public hearing regarding the increase as per the Finance Committee FY 2007 Solid Waste Enterprise Fund budget recommendation to the Board of Selectmen. Ms. Gibson stated that the public hearing is scheduled for May 17, 2006. Discussion followed on the work to date toward a multi-year budget planning effort by the previous Board, the Finance and School Committees. Mr. Bennett spoke in support of that effort as did Chairman Willauer who added that Mr. Glowacki and Mr. Chadwick should continue unless they are replaced in those roles. Mr. Kopko concurred and Mr. Bennett moved that the process in place continue. Mr. Kopko seconded. So voted.

At 8:55 PM, Chairman Willauer polled the Board and Mr. Bennett, Mr. Chadwick, Mr. Glowacki, Mr. Kopko and Chairman Willauer voted unanimously to adjourn to executive session not to return to open session for the purpose of approving minutes and reviewing real estate matters.

Approved the 3rd day of May 2006.